



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SUSAN FLANNIGAN,

Plaintiff,

v.

VULCAN CAPITAL MANAGEMENT,
INC. and VULCAN ADVANCED MOBILE
POWER SYSTEMS, LLC aka VULCAN
AMPS, LLC,

Defendants.

C05-7404 BSJ (TSZ)

MINUTE ORDER

Having conducted a status conference on March 20, 2009, at which Marc Stadtmauer, counsel for plaintiff, and Michael Schmidt, counsel for defendants, appeared telephonically, the Court now enters the following Minute Order:

(1) Trial in this matter is continued from April 20, 2009, to April 27, 2009. A pretrial conference is scheduled for April 22, 2009, at 4:00 p.m. EDT, in chambers 725.

(2) By March 27, 2009, counsel shall prepare a revised pretrial order and send it via e-mail to the Court's law clerk at the following address:

Kathryn.Kim@wawd.uscourts.gov.

(3) Trial briefs are due by April 10, 2009. They shall be filed via CM/ECF. Counsel need not provide working copies of any materials filed via CM/ECF unless such materials are voluminous (*i.e.*, exceeding 100 pages in length).

(4) With regard to deposition transcripts, the Court does not intend to make rulings on objections therein until such transcripts are read at trial, except as necessary in connection with any motions in limine.

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(5) The Court intends to seat a seven-person jury. Counsel shall confer concerning whether the parties will agree to a non-unanimous verdict, in which case the Court might alter the number of jurors. Counsel shall advise the Court whether or not they will agree to a non-unanimous verdict by April 10, 2009.

(6) Having heard during the status conference about the Court's usual jury voir dire practices, counsel may, but are not required to, submit additional or supplemental proposed voir dire questions by April 10, 2009. The Court will send draft jury instructions to counsel on or before April 17, 2009.

(7) Counsel are encouraged to engage in settlement negotiations. Plaintiff's attorney shall provide a settlement proposal to defendants' attorney within one week from the date of this Minute Order. Defendants' attorney shall provide a response thereto within one week from receipt of the settlement proposal. If, after further discussions, counsel wish to request a settlement conference with a Magistrate Judge, they may contact the Court's law clerk via telephonic conference call.

(8) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Filed and entered this 20 day of March, 2009.

Thomas S. Zilly
United States District Judge

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